

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<p>RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>THE ENCLAVE AT FAIRWAYS, HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,</p> <p style="text-align: right;">Defendant.</p>	<p>Civil No.</p> <p style="text-align: center;">DECLARATION OF DAVID REICH</p>
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DECLARATION OF DAVID REICH

David Reich declares as follows, pursuant to 28 U.S.C. § 1746:

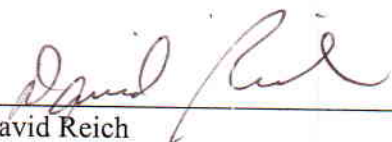
1. I am a resident of The Enclave at the Fairways (“The Enclave”) and a member of The Enclave at the Fairways Homeowners Association, Inc. (“HOA”) since June 30, 2016.
2. I am a practicing Orthodox Jew.
3. Prior to September 2017, I attended services at the Bais Medrash of Elmwood Village located at 2 Tova Drive, Lakewood, NJ 08701, and the Finchley Synagogue located at 55 Finchley Boulevard, Lakewood, NJ 08701 Both are within a three- to eight-minute walk from the Damiano exit.

4. Due to the locked Damiano pedestrian entrance hours and the skirts that have been placed under the Damiano Way gate, I can no longer attend services for the entire duration at the Synagogues. There is not sufficient time to attend services and return at the times designated by the HOA. The HOA has prevented me from exercising my religion.
5. Prior to the skirts being placed on the Damiano exit gate, I had to “limbo” under the gate to walk out of the Enclave to services and then only if my children assisted me and held the gate up.
6. In June 2018, I hosted a social gathering outside the Enclave at Glatt Gourmet - River Terrace behind the Bais Medrash of Elmwood Village. Approximately sixty to seventy residents of The Enclave had to bend underneath the automobile gate in order to leave The Enclave and attend the gathering. Some residents were unable to attend because they could not bend under the gate.
7. My children and grandchildren, who are in strollers, do not visit me if the Damiano pedestrian gate is closed as the alternative route to the Massachusetts exit has no sidewalks, high grass, and is an unsafe and significantly longer walk.
8. I have experienced anti-Semitic hostility at The Enclave.
9. One resident yelled at my grandchildren and took pictures of them while they were visiting me.
10. This year The Enclave had a candle lighting ceremony for Hanukkah. All of the residents received the email indicating that a “pickleball” event was cancelled due to the Hanukkah ceremony. Attached as **Exhibit A** is a true and correct copy of

this email. I believe that this was a deliberate attempt to heighten tension and hostility toward the Orthodox Jewish residents of The Enclave.

11. I had to apply for a permit from the HOA to place a Sukkah on my property. This permit is in a very bright color and large letters and must be placed on the front of our home. Last year it was orange, this year bright yellow. I find this extremely offensive and a deliberate attempt to indicate to the neighborhood that I am a Jew.
12. I am aware that there is a men's club called the DaVinci club that meets in The Enclave's clubhouse at least once a month.
13. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2018



David Reich